

**STATE WATER BOARD  
BOARD MEETING MINUTES  
November 18, 2004**

Copies of the resolutions and water quality orders can be obtained from either calling Debbie Irvin at (916) 341-5600; or downloading from our [website](#).

**CALL TO ORDER**

Arthur G. Baggett, Jr., called the meeting to order on November 18, 2004, at 10:10 am, in the Coastal Hearing Room, 1001 I Street, Sacramento, California.

**BOARD MEMBERS PRESENT**

Arthur G. Baggett, Jr., Chairman; Peter S. Silva, Vice-Chair; Richard Katz, Member; Gary M. Carlton, Member; Nancy H. Sutley, Member

**BOARD MEMBERS ABSENT**

None.

**STAFF PRESENT**

Harry Schueller, Chief Deputy Director; Thomas Howard, Deputy Director; Craig M. Wilson, Chief Counsel; Debbie Irvin, Clerk to the Board; Vicky Whitney, Chief, Division of Water Rights; Jean McCue, Division of Water Rights; Barbara Leidigh, Office of Chief Counsel; Luann Erickson, Division of Water Rights; Kevin Graves, Steve Fagundes and Diane Edwards, Division of Water Quality; and John Norton, Chief, Office Statewide Initiatives

**SUPERIOR ACCOMPLISHMENT AWARD**

Vicky Whitney presented the Superior Accomplishment Award to Diane Riddle, Division of Water Rights, recognizing her Bay Delta work associated with the levee breakage on the Jones tract

Chairman Baggett thanked Erin Saenz for her years of service as Deputy Clerk. Erin promoted to Executive Assistant in the Office of Legislative Affairs.

**OTHERS PRESENT**

Joe Grindstaff and Tracie Billington, Department of Water Resources; Patrick Hassey and Warren Tellefson, Central Valley Clean Water Association; John Dunlap, Coral Cay Homeowners Association; Joe Rosen, Tennis Estates; Garry Brown, Orange County Coast Keeper; Rick Rempel, Placerville; Richard Kravetz representing Ernest J. Panosian; Patrice Frey, City of Goleta; Chris Murray, Sonoma County Water Agency; Miles Ferris, City of Santa Rosa, SCWA-WAC; Steve Schmidt, Coalition for Sustainable Agriculture; Marc Del Piero, Mendocino County Russian River Flood Control & Water Conservation Improvement District; Brenda Adelman, Russian River Watershed Protection; Veronica Jacobi, Sonoma County Water Coalition; Joan Riback, Forestville Planning Association; Patricia Hamilton, Executive Director, David Keller, and James Kevor, Friends of the Eel River; and Jim Maresca

**PUBLIC FORUM**

No one addressed the Board.

**MINUTES**

The Board unanimously adopted the October 21, 2004 Board meeting minutes.

**CONSENT AGENDA**

Item 10 was removed from the Regular Agenda. Items 1-7 and 10 were unanimously adopted, as recommended by staff.

**ADMINISTRATION**

1. Consideration of a resolution for a proposed Interagency Agreement to reimburse the Office of the Secretary for environmental protection

Motion: The Board unanimously adopted the proposed resolution. **Resolution 2004-0072**

**FINANCIAL ASSISTANCE**

2. Consideration of a resolution adopting emergency regulations for the replacing, removing, or upgrading underground storage tanks (RUST) grant and loan program

Motion: The Board unanimously adopted the proposed resolution. **Resolution 2004-0073**

3. Consideration of a proposed resolution delegating authority to approve certain underground storage tank loans and grants, and to execute contracts, grant agreements, and amendments to disburse loan and grant funds from the petroleum underground storage tank financing account

Motion: The Board unanimously adopted the proposed resolution. **Resolution 2004-0074**

4. Consideration of a resolution adopting the proposed name change revision from the East San Joaquin Water Quality to the San Joaquin River Group Authority [the Costa-Machado Water Act of 2000 (Proposition 13) Phase III Project Priority Lists, PIN 159]

Motion: The Board unanimously adopted the proposed resolution. **Resolution 2004-0075**

5. Consideration of a resolution to accept and allocate federal grant funds from U.S. EPA to the Lahontan Water Board, in the amount of \$1,140,650 for developing the Lake Tahoe TMDL, and implementation of a water quality restoration plan

Motion: The Board unanimously adopted the proposed resolution. **Resolution 2004-0076**

#### **WATER QUALITY**

6. Consideration of a resolution approving an amendment to the Water Quality Control Plan for the Colorado River Basin to prohibit waste discharge from individual septic tanks that overlie the Mission Creek Aquifer or the Desert Hot Springs Aquifer in Riverside County

Motion: The Board unanimously adopted the proposed resolution. **Resolution 2004-0077**

#### **WATER QUALITY PETITION**

7. In the matter of the petition of City of Pismo Beach for review of Mandatory Penalty Order No. R3-2004-008, issued by the Central Coast Water Board, SWRCB/OCC File A-1642

Motion: The Board unanimously adopted the proposed order. **WQ Order 2004-0016**

#### **FINANCIAL ASSISTANCE**

8. Consideration of a resolution adopting the Integrated Regional Water Management Grant Program Guidelines and approval to issue proposal solicitation packages

**Barbara Evoy** presented the item to the Board.

**Tracie Billington, Department of Water Resources**, discussed Proposition 50 integrated fund programs and clarified who is eligible to participate in the funding. She recommended the Board add language to clarify the plan and implementation changes.

Motion: The Board unanimously adopted the proposed resolution with the recommended planning and implementation changes. **Resolution 2004-0079**

#### **WATER QUALITY**

9. Consideration of a resolution requiring SWRCB staff, in coordination with the Sanitary Sewer Overflow Guidelines Committee, to develop a proposed Sewer Overflow Reduction Program by November 2005.

**John Norton** presented the item to the Board recommending adoption, as proposed by staff.

Motion: The Board unanimously adopted the proposed resolution. **Resolution 2004-0080**

10. Consideration of a resolution partially approving an amendment to the Water Quality Control Plan for the North Coast Region to authorize compliance schedules in NPDES permits

Note: Item 10 was removed from the Regular Agenda and adopted in sequence with the other Consent Agenda Items (1-7).

Motion: The Board unanimously adopted the proposed resolution. **Resolution 2004-0078**

**11.** Consideration of a water quality general order requiring owners and operators of specified vessel terminals located in Newport Bay and Huntington Harbour to install, maintain, and operate pump-out facilities and dump stations to protect water quality

**Steve Fagundes** presented the item to the Board.

**Art Baggett** discussed giving the Regional Board flexibility making the determination if the Homeowners Association can demonstrate to them that they've resolved this without hiring someone and requiring all harbors to go to a small number of boats. You can write something in there so that if there were a harbor with 10 boats, it would be cheaper for them to sign a letter. We would try to work out a language of self-monitoring, some kind of self-certification in lieu of a pump out contract adding additional language and the requirement to direct the Regional Board to come back. There are other harbors they have to address to include all the vessels.

Garry Brown, Joe Rosen, and John Dunlap addressed the Board.

Motion: The Board unanimously adopted the proposed order with changes. **WQ Order 2004-0017-DWQ**

#### **WATER QUALITY PETITION**

**12.** In the matter of the petition of Ernest Panosian for review of petroleum underground storage tank site closure denial at 5680 Hollister Avenue, Goleta

**Kevin Graves** presented the item to the Board.

**Richard Kravetz, Rick Remple and Patrice Frey** addressed the Board:

Motion: The Board unanimously adopted the proposed order. **WQ Order 2004-0018-UST**

#### **WATER QUALITY**

**13.** Consideration of modifying Water Quality Order 2004-0009-DWQ; specifically, modifying Finding 31 of the Aquatic Weed Permit for inclusion of Marine Prairie Water District, Princeton-Cordora-Glen Irrigation District, Provident Irrigation District, Reclamation District 1004, South Sutter Water District, and Tehema-Colusa Canal Authority to Attachment E.

Motion: The Board unanimously adopted the proposed resolution. **Resolution 2004-0081**

#### **WATER RIGHTS**

**14.** Informational Report: The Sonoma County Water Agency (SCWA) will present a Water Conservation Status Report for areas served by water stored in Lake Mendocino. This report is pursuant to SWRCB Water Right Order 2004-0035, which allowed SCWA to temporarily reduce minimum flows in the Russian River above Healdsburg.

**Luann Erickson** presented the report to the Board.

**Miles Ferris, Chris Murray, Randy Poole, Steve Schmidt, Marc Del Piero, Brenda Adelman, Jim Maresca, Veronica Jacobi, Joan Riback, David Keller, and Patricia Hamilton** addressed the Board.

#### **ADJOURNMENT**

The Chairman adjourned the meeting at 12:50 pm.